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JAN 12 2022
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
DIVISION

Monica Lynn Swift Manning

Complaint for a Civil Case

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v. MO Dept. of Social Services
Children's Division
Child Abuse & Neglects Div.
DDB office of J. Berke
Belonging

Case No.
(to be assigned by Clerk of
District Court)

Plaintiff requests trial by jury:

☒ Yes ☐ No

(Write the full name of each defendant. The caption must include the names of all of the parties. Fed. R. Civ. P. 10(a). Merely listing one party and writing "et al." is insufficient. Attach additional sheets if necessary.)

CIVIL COMPLAINT

NOTICE:

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed without prepaying fees or costs.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Monica Swift Manning
 Street Address 5438 Puckin Ave.
 City and County St. Louis City
 State and Zip Code MO 63115
 Telephone Number (314) 265-3559
 E-mail Address mswiftmanning@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

I am suing:
MO Division of Social Services in its capacity
 Name Ria Wise, Michelle Koehlee (Supervisor)
 Job or Title Case Manager
 Street Address 8501 Lucas & Hunt Rd.
 City and County St. Louis County
 State and Zip Code MO 63136
 Telephone Number (314) 877-2550
 E-mail Address ria.wise@dss.mo.gov

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant. If you are suing for violation of your civil rights, you must state whether you are suing each defendant in an official capacity, individual capacity, or both.)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only three types of cases can be heard in federal court. Provide the information for this case. (Include all information that applies to your case)

A. Federal question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

The 14th Amendment Declaration of Due Process Clause.
Possibly statutes under the 14th amendment as well as it relates to liberties

B. Suit against the Federal Government, a federal official, or federal agency

List the federal officials or federal agencies involved, if any.

Unknown

C. Diversity of Citizenship

These are cases in which a citizen of one State sues a citizen of another State or nation, and the amount at stake is more than \$75,000. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

1. The Plaintiff(s)

The plaintiff, (name) Monica Swift Manning, is a citizen of the State of (name) Missouri.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

RM ~~Anthony Manning~~ Missouri
ES ~~Anthony Manning~~ Missouri

2. The Defendant(s)

If the defendant is an individual

The defendant, (name) Ria Nise, is a citizen
of the State of (name) Missouri Or is a citizen
of (foreign nation) _____.

If the defendant is a corporation

The defendant, (name) MO Dept of Social Services.
is incorporated under the laws of the State of (name)
Missouri, and has its principal place of
business in the State of (name) Missouri Or
is incorporated under the laws of the State of (foreign nation)
_____, and has its principal place
of business in (name) St. Louis County.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy----the amount the plaintiff(s) claims the defendant(s) owes or the amount at stake----is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Type, or neatly print, a short and plain statement of the **FACTS** that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

Please See attachments

IV. Relief

State briefly and precisely what damages or other relief you want from the Court. Do not make legal arguments.

What ever the court deems just.

Do you claim the wrongs alleged in your complaint are continuing to occur now?

Yes ☒ No ☐

Do you claim actual damages for the acts alleged in your complaint?

Yes ☒ No ☐

Do you claim punitive monetary damages?

Yes ☒ No ☐

If you indicated that you claim actual damages or punitive monetary damages, state the amounts claimed and the reasons you claim you are entitled to recover these damages.

I really need ADA accommodations, as well as legal counsel in place to truly protect my family's interest

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12th day of January, 20 22

Signature of Plaintiff(s)

[Handwritten Signature]

I Monica Sweet Manning bring
Fourth my Complaint in Federal Civil
Courts because I believe that this court
holds Subject matter Jurisdiction, Personal
Jurisdiction as venue over all Civil
Rights Violation over Missouri's Dept.
of Social Service, Its Children's Division,
Child Protected Service office and St.
Louis County Juvenile Division office
Based on text from the 14th Amendment.

I believe these agency's have completely
discriminated against my family and
I believe their activities are ongoing
I believe that our civil rights have
been violated and the welfare of my
children are of great concern.

To name just a few perceived discriminatory
areas of law would fall under the
14th Amendment Due Process Clause with regards
to Due Process as it relates to my case
I feel that my parental rights have
been taken unfairly, because the
grounds for which my parental rights were ended
has not been proven by legally
admissible evidence in a court of law

The Divisions have not provided me my rights nor have they adhered to their own Internal State Grievance process. Which can be found in the Child Welfare Manual Section 8 Chapter 1 Grievance & Appeals Subsection 1 Service delivery Grievance process. for the State of Missouri.

In addition to my complaint of discrimination within these offices I have not been provided a case plan nor offered any resources or services that implement efforts of reunification with my children. No counseling or therapy to help with the grief I am experiencing during these times.

I have reached out to the assigned case worker Pia Wise, her supervisor Michelle Koehnle, Executive Branch manager Tiffany Moore as well as another Internal Agent Amy Clarice.

In addition to my concerns I believe these agencies are discriminating because of my disability as well.

as my inability to obtain proper legal counsel. Which in turn provides them room to back up regards to providing Advocacy or fair due process.

They ~~the~~ lack in child welfare in foster care and temporary housing they have neglected to protect my children while in their care. They have canceled visits with out appropriate notice, they don't allow my children to see me or each other adequately if at all. I have only seen my baby twice since he was ripped away from me on 10/15/2021

The 14th Amendment prohibits the states from depriving "any person of life, liberty, or property without due process of law. It supports Equal protection clause, in which none of these areas of protection has been applied to me or my children.